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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/726,261

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D. David Nason

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10/06/2003

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EXAMINER

TRAN, TAM D

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 10/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Response Due: Dec. 8, 2003 (2/6)  
Jan. 6, 2004 (3/6)  
April 6, 2004 (FINAL)

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OCT 09 2003

By: M. Iarion

# Office Action Summary

Application No.

09/726,261

Applicant(s)

NASON ET AL.

Examiner

Tam D. Tran

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11, 12, 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless--

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Chun et al. (USPN 6529208 B1), hereinafter simply Chun.

2. In regard to claim 1, Chun teaches a method for preventing an unauthorized display source from overwriting an image displayed by an authorized display source on a video display system, see col.5 lines 20-38, col.10 lines 24-48, comprising under control of code that is independent of a native operating system, see col.7 lines 40-45, generating a display region mask that defines a display area of the video display system; see col.5 lines 25-30; associating the generated display region mask with the authorized display source (Window ID); and upon receiving an indication from the authorized display source to write the image within the area defined by the associated display region mask, transparently writing the image onto the display area, such that output from an unauthorized source (unwanted regions) is not displayed within the area defined by the associated display region mask in a manner that is independent of any display ordering imposed by the native operating system. See col.5 lines 25-38.

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3. In regard to claim 2, Chun teaches a method for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, see col.5 lines 20-38, col.10 lines 24-48, comprising: generating a display region mask that defines a display area of the video display system; associating the generated display region mask with the second application; see col.5 lines 25-30; receiving data for the first application from a graphics device interface associated with a native operating system; modifying a portion of the received data intended for the display area defined by the display region mask to prevent the data from the first application from being displayed in the display area defined by the display region mask; and transferring the data, including the modified portion, to a display driver associated with the video display system. See col.5 lines 25-38.

4. In regard to claims 3, 9, 14 Chun teaches a method for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, wherein the modification of data is performed by a display filter positioned intermediate the graphics device interface and the video display driver to filter data from the first application intended for the display area defined by the display region mask. See col.3 lines 15-30.

5. In regard to claim 4, Chun teaches a method for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, further comprising receiving data for the second application from the graphics device interface and replacing the modified portion of the received data for the first application with the received data for the second application. See col.6 lines 26-43.

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6. In regard to claims 5, 10, 15, Chun teaches a method for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, further comprising resizing the display area to create a first display area under control of the native operating system and a second display area outside control of the native operating system. See col.6 lines 35-43.

7. In regard to claims 6, 11, 16, Chun teaches a method for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, wherein the display region mask defines the second display area outside control of the native operating system as the display area of the video display system. See col.6 lines 35-43.

8. In regard to claims 7, 17, Chun teaches a method for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, wherein the first application is an executable application of the native operating system. See col.4 lines 5-13.

9. In regard to claim 8, Chun teaches a system for preventing a first application (color Window ID) from overwriting data displayed by a second application (overlay Window ID) on a video display system, see col.5 lines 20-38, col.10 lines 24-48, comprising: a programming interface to provide a routine to create a display region mask that defines a masked display area of the video display system, and to associate the generated display region mask with the second application; see col.7 lines 40-45; and a display filter (graphic adaptor) to: intercept function calls from a graphics device interface associated with a native operating system; see col.4 lines 45-59; and when the display filter detects that an intercepted function call from the first

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application is specifying transmission of data to the masked display area, clip a portion of the received data intended for the masked display area to prevent the data from the first application from being displayed in the masked display area. See col.7 lines 8-17.

10. In regard to claim 12, Chun teaches a computer readable media containing instructions for controlling a computer processor to prevent a first application (first layer) from overwriting data displayed by a second application (second layer) on a video display system, see col.10 lines 45-47, by: generating a display region mask that defines a display area of the video display system; see col.7 lines 40-45; associating the generated display region mask with the second application (second layer); see col.8 lines 40-43; receiving data for the first application from a graphics device interface associated with a native operating system; see col.10 lines 40-47; and clipping a portion of the received data intended for the display area defined by the display region mask to prevent the data from the first application from being displayed in the display area defined by the display region mask. See col.7 lines 7-15.

11. In regard to claim 13, Chun teaches a computer readable media containing instructions for controlling a computer processor to prevent a first application (first layer) from overwriting data displayed by a second application (second layer) on a video display system, further comprising instructions to cause the computer processor to transfer the data, including the clipped portion, to a display driver associated with the video display system. See col.7 lines 7-15.

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 2-17 have been considered but are moot in view of the new ground(s) of rejection.

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In response to applicants' argument that the reference fails to show certain features of applicants' invention, it is noted that the features upon which applicants state in the new claims, is not recited in the rejected claims filed previously. For these reasons, the rejections are maintained.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

#### *Conclusion*

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matthew Bella** can be reached on **703-308-6829**.

**Any response to this action should be mailed to:**

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose  
telephone number is (703) 306-0377.

Tam Tran

*TT*  
Examiner

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**MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**